

Remarks

Claim 7 stands rejected under 35 U.S.C. §103(a) over U.S. Patent 5,274,698 (Jang) in view of U.S. Patent 5,850,599 (Seiderman) and further in view of U.S. Patent 5,680,446 (Fleischer).

Jang has different classes with different rules to restrict called numbers. Jang ***MUST FIRST*** determine the class for the caller, so that the rules for the class may be used to restrict the called number. The caller is classified by extension line (Jang, column 7, lines 48-49), which is typically identified by caller number. Thus, Jang *first* selects a class for the caller by caller number, and then Jang restricts called number based on the selected class. Jang could not operate without the caller classification step occurring first, because this classification step is needed to identify the rules that are used to restrict the called number. Without caller classification, there would be no rules to restrict the called number. The following chart shows the difference between Jang and claim 7.

	First Step	Second Step
Jang	The <u>caller</u> number is processed first to classify the caller.	The <u>called</u> number is processed second to deny the call based on the class.
Claim 7	The <u>called</u> number is processed first to classify the call as toll-free or not.	The <u>caller</u> number is processed second to deny the call if the call is not toll-free.

Although Seiderman may teach bypassing a credit check, a combination with Jang as described in the office action is improper, because Jang requires caller classification to locate the rules to restrict the called number – the primary purpose of Jang. If Seiderman were used to eliminate the classification step in Jang, then Jang could not operate properly, because there would be no rules to restrict the called number. Thus, the combination of Jang and Seiderman as described in the recent office action is improper because it would destroy the primary purpose of Jang.

Fleisher does not provide the limitations that are present in claim 7, but missing from Jang as indicated above.

Applicant notes that claim 7 allows calls based on caller number, but in direct contrast, Jang allows calls based on called number. Applicant also notes that the recent office action mischaracterizes claim 7 by stating that it is about bypassing validation of the called number. This is incorrect, because claim 7 is about bypassing validation of the caller number. This confusion between caller and called numbers makes the office action difficult to understand.

Claim 8 is patentable for the reasons indicated above. In addition, the system of Jang is a key/PBX system, which is Customer Premise Equipment (CPE). The CPE in Jang receives DTMF tones from the caller's telephone, and would not receive SS7 IAMs from the caller's telephone. Regardless of how well known SS7 is, those skilled in the art would clearly not be motivated to modify Jang so the caller telephones transfer SS7 IAMs to the CPE instead of DTMF tones. SS7 is a complex and highly fault tolerant signaling protocol that is used within complex telecommunication networks. SS7 is typically not deployed in CPE, and SS7 is certainly not deployed in caller telephones.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 7-8.


SIGNATURE OF PRACTITIONER

Michael J. Setter, Reg. No. 37,936
Setter Ollila
Telephone: (303) 938-9999 ext. 13
Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 28004

Attn: Harley R. Ball
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100